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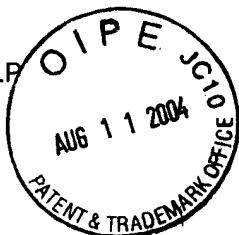


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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/766,031 | 01/29/2004 | Masayuki Hata | 57810-085 |

20277
 MCDERMOTT WILL & EMERY LLP
 600 13TH STREET, N.W.
 WASHINGTON, DC 20005-3096



CONFIRMATION NO. 1109

FORMALITIES LETTER



OC000000012938981

Date Mailed: 06/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/12/2004 JBALINAN 00000085 500417 10766031

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 DA
 02 FC:1051 130.00 DA
 03 FC:1201 430.00 DA
 04 FC:1202 162.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$592** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1492** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$592**

- **\$430** for **5** independent claims over 3.
- **\$162** for **9** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

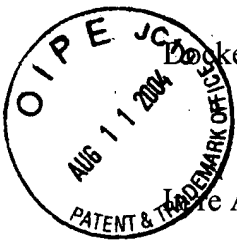
*A copy of this notice **MUST** be returned with the reply.*

Frederick

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No.: 57810-085

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Interim Application of

Masayuki HATA, et al.

Serial No.: 10/766,031

Filed: January 29, 2004

For: SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME

: Customer Number: 20277

: Confirmation Number: 1109

: Group Art Unit: 2811

: Examiner: Not yet assigned

:

**RESPONSE TO NOTICE
OF MISSING PARTS OF APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Parts of Application dated June 14, 2004, submitted herewith are the following documents for filing in the above-referenced application:

1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
2. Statutory Basic filing fee of \$770.00
3. Late Filing Fee Surcharge of \$130.00
4. Additional Independent Claim Fee of \$430.00
5. Additional Total Claim Fee of \$162.00
6. Information Disclosure Statement, PTO-1449 and 9 references
7. Assignment and Recordation Fee of \$40.00 (on separate postcard)

Please charge Deposit Account No. 500417 in the amount of \$1492.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136.

10/766,031

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

It is requested that the updated official filing receipt now be issued.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, appearing to read "Arthur J. Steiner".

Arthur J. Steiner
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Date: August 11, 2004